

REMARKS

In response to the Office Action mailed October 10, 2008, Applicants respectfully request reconsideration. To further the prosecution of this Application, Applicants submit the following remarks, have canceled claims and have added new claims. The claims as now presented are believed to be in allowable condition.

Claims 1-4, 9, 13, 21-24, 26-29, 45-48, 50, 52, 54, 55, 57-60 and 62-71 were pending in this Application. By this Amendment, claims 3, 23, 28, 29, and 47 has been canceled. Independent claim 1 has been amended to include the content of cancelled dependent claim 3, independent claim 21 has been amended to include the content of cancelled dependent claim 23, and independent claim 26 has been amended to include the content of cancelled dependent claim 46. The amendments do not add new matter to the application. Claims 75-78 have been added. Accordingly, claims 1, 2, 4, 9, 13, 21, 22, 24, 26, 27, 45, 46, 48, 50, 52, 54, 55, 57-60, 62-71 and 75-78 are now pending in this Application. Claims 1, 21, 26, and 45 are independent claims.

Rejections under §103

Claims 1, 2, 13, 21, 26, 45, 54, 55, 58-60 and 63-71 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,159,592 to Perkins (hereinafter Perkins) in view of U.S. Patent No. 6,891,819 to Inoue et al. (hereinafter Inoue) in view of U.S. Patent No. 6,614,788 to Martin et al. (hereinafter in view of U.S. Patent No. 6,614,788 to Martin et al. (hereinafter Martin) in view of Applicant's Admitted Prior Art (hereinafter AAPA). Claims 3,9, 23, 28, 47, 57 and 62 were rejected under 35 U.S.C. §103(a) as being unpatentable over Perkins, Inoue, Martin, and AAPA in view of U.S. Patent No. 6,070,192 to Holt et al. (hereinafter Holt). Claims 4, 24 and 48 were rejected under 35 U.S.C. §103(a) as being unpatentable over Perkins, Inoue, Martin, Applicant's Admitted Prior Art and Holt and further in view of U.S. Patent No.

6,442,616 to Inoue et al. (hereinafter '616'). Claims 22, 27, 46 and 50 were rejected under 35 U.S.C. §103(a) as being unpatentable over Perkins in view of Inoue in view of Martin in view of Holt and in further view of U.S. Patent No. 6,233,616 to Reid et al. (hereinafter Reid).

Applicants respectfully traverse the rejection of claims 3, 23, 28, and 47 and request reconsideration. The claims are in allowable condition.

As indicated above, independent claims 1, 21, 26, and 45 have been amended to include the content of cancelled claims 3, 23, 28, and 47. Taking independent claim 1 as amended, claim 1 relates to a network access server (NAS), the NAS comprising an HGS identifier configured to identify a home gateway server (HGS) of an Internet service provider (ISP), the HGS associated with a home domain to which a request for an IP address is to be transmitted, the ISP and a Network Access Provider (NAP) of the NAS being separate, wherein the HGS identifier is configured to identify the HGS responsive to log-in information provided by a user, an IP address requester configured to request an IP address from the HGS, the HGS maintaining a pool of IP addresses for allocation to authorized users, the IP address requester configured to transmit the user's authentication information to the HGS with the request for an IP address from the HGS, an IP address relay configured to receive an IP address allocated to the user from the HGS and to relay the allocated IP address to the user, and a memory coupled with the IP address requester and the IP address relay, the memory storing an association between an identification of the user and the IP address allocated to the user, the NAS configured to provide a user with access and connection to a global data communications internetwork, further comprising a receiver configured to receive periodic queries from the HGS about the status of the user connection to the NAS, and a responder responsive to the periodic queries and configured to inform the HGS that the user is still connected to the NAS.

With respect to the rejection of claims 3, 23, 28, and 47, on page 6, the Office Action recites that Perkins, Inoue, Martin, and AAPA “does not disclose providing a receiver for receiving periodic queries about the connection of the user to the NAS and a responder to inform the HGS about the connection.” The Office Action instead relies on Holt for such a disclosure.

While the Office Action recites Holt as teaching receiving “periodic queries from the HGS about the status of the user connection to the NAS” and informing “the HGS that the user is still connected” to the NAS such as claimed by Applicants, Holt does not cure the deficiencies of Perkins, Inoue, Martin, and AAPA.

In Holt, a network controller (NC) sends a status indication to one or more network access servers (NAS) 5, to which the NAS 5 responds with a status confirm message. Column 12, lines 64-67. As recited in Holt:

The status confirm message will include a list of all currently active calls, with their identifiers. The NC 12 uses this information to determine if the information stored in the NC 12 is accurate. If the information is not accurate (i.e. some unexpected new calls may be present or some expected calls may be absent), the NC 12 updates its information, and may send another status indication to the NAS 5 requesting more detailed information. Column 12, line 67 - column 13, line 7.

While NAS of Holt receives “status indication” from the NC, Holt is silent regarding the “status indication” being a “periodic queries ... about the status of the user connection to the NAS” as claimed by Applicants in amended claims 1, 21, 26, and 45. If the rejection of claims 1, 21, 26, and 45 is to be maintained, it is respectfully requested that it be pointed out with particularity where Holt teaches the “status indication” being a “periodic queries ... about the status of the user connection to the NAS” as claimed by Applicants.

For the reasons stated above, claims 1, 21, 26, and 45 as amended patentably distinguish over the cited prior art, and the rejection of claims 1, 21, 26, and 45 under 35 U.S.C. §103(a) should be withdrawn. Accordingly, claims 1, 21, 26, and 45 are in allowable condition. Because claims 2, 4, 9, 13, 50, 52, 63, 64, and 68 depend from and further limit claim 1, claims 2, 4, 9, 13, 50, 52, 63, 64, and 68 are in allowable condition for at least the same reasons. Because claims 22, 24, 54, 55, 57, 65, and 69 depend from and further limit claim 21, claims 22, 24, 54, 55, 57, 65, and 69 are in allowable condition for at least the same reasons. Because claims 27, 66, and 70 depend from and further limit claim 26, claims 27, 66, and 70 are in allowable condition for at least the same reasons. Because claims 46, 48, 58-60, 62, 67, and 71 depend from and further limit claim 45, claims 46, 48, 58-60, 62, 67, and 71 are in allowable condition for at least the same reasons.

#### Newly Added Claims

Claims 75-78 have been added and are believed to be in allowable condition. Claims 75-78 depend from claims 1, 21, 26, and 45 respectively. Support for claims 75-78 is provided within the Specification, for example, on page 8, line 22 through page 10, line 3 and on page 16, lines 4-14. No new matter has been added.

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Conclusion

In view of the foregoing remarks, this Application should be in condition for allowance. A Notice to this effect is respectfully requested. If the Examiner believes, after this Response, that the Application is not in condition for allowance, the Examiner is respectfully requested to call the Applicants' Representative at the number below.

Applicants hereby petition for any extension of time which is required to maintain the pendency of this case. If there is a fee occasioned by this Response, including an extension fee, please charge any deficiency to Deposit Account No. 50-3661.

If the enclosed papers or fees are considered incomplete, the Patent Office is respectfully requested to contact the undersigned collect at (508) 616-2900, in Westborough, Massachusetts.

Respectfully submitted,

/Jeffrey J. Duquette/

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